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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/563,063

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Andreas Tillman

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1131 7590 02/12/2008
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EXAMINER

SANDERS, HOWARD J

ART UNIT

PAPER NUMBER

3653

MAIL DATE

DELIVERY MODE

02/12/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/563,063	Applicant(s) TILLMAN, ANDREAS	
	Examiner HOWARD SANDERS	Art Unit 3653	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 December 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☒ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20051230 and 20060503</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In using the words "characterised by" the claims are indefinite, failing to conform with current U.S. practice. Furthermore claim 1 recites the limitation "the front driven rollers" and "the rear driven rollers" as well as "the rear pair of rollers." Claim 9 recites the limitation "the rear pair of rollers." There is insufficient antecedent basis for these limitations in the claims.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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Claims 1-4, 6-7, and 9 are rejected under 35 U.S.C. 102(b) as being anticipated by Shirasaki US 5,738,349. Shirasaki discloses sheet buffering means comprising:

- a front pair of rollers (6) disengageable by means of clutch (30);

- rear driven rollers (4);

- motor (18);

- sensor (48) for sensing the lead end of the sheet for controlling the driving the front pair of rollers;

- inlet sensor (46) for sensing the position of the trail end of the sheet for controlling the rear pair of rollers;

- a flap (34) is provided before the rear pair of rollers for guidance of a sheet to desired rear pair of rollers; and

- a guidance (36) is provided between the front and the rear pair of rollers, which prevents bending of the sheet in the direction of the direction of the provision of the guidance;

- wherein the lead end of a sheet is fed between a front pair of rollers, stopping the front pair of rollers when the lead end of the sheet at least has reached the nip of the front pair of rollers at the same time as the rear pair of rollers continues to feed the sheet, whereby this sheet bends between the two pairs of rollers, stopping the rear pair of rollers, at the latest where the trail end of the sheet reaches the nip of the rear pair of rollers, starting, at desired occasion of feeding out, the front and rear pair of rollers, the pairs of rollers may be driven in a higher speed when the sheet is fed out.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shirasaki. Shirasaki discloses the limitations of claim 1 and 9 as listed above, but does not teach using two sets of front and rear pair of rollers. The use of multiple sheet pathways is well known in the art, and therefore to use two sets of each roller pair for use within the multiple pathways is obvious to one of ordinary skill in the art thereby providing an alignment step within each sheet path.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shirasaki in view of Nakazato et al. US 5,482,265. Shirasaki disclosed the limitations of claim 1 as listed above, as well as the idea of stopping the rotation of the feed rollers [column 9, line 67 – column 10, line 1], but does not teach using a friction brake. Nakazato et al. teach using a friction brake (56) on a pair of rollers [Figure 24]. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the front rollers of Shirasaki with a

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friction brake as taught by Nakazato et al. thereby ensuring the rollers stop when desired.

Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Shirasaki in view of Kanda et al. US 6,148,172. Shirasaki disclosed the limitations of claim 9 as listed above, but do not mention a variance in the driving speed of the roller pairs. Kanda et al. teach varying the speed of rollers from when a sheet is fed in to when a sheet is fed out of an area [see Figure 10]. It would have been obvious to one of ordinary skill in the art at the time of the invention to use the teachings of Kanda et al. and modify Shirasaki hereby driving the front and rear pair of rollers is quicker at feeding out than feeding in, in order to satisfy a desired timing.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HOWARD SANDERS whose telephone number is (571)270-3096. The examiner can normally be reached on Mon - Fri, 7:15 AM - 4:45 PM EST, Alt. Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art
Unit 3653

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